

ORIGINAL

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

2016 JUN 16 PM 2:23

CLERK C. Adams  
SO. DIST. OF GA.

DUBLIN DIVISION

ANTONIO BROWNER,

Plaintiff,

v.

CV 316-012

LISA FOUNTAIN; HOMER BRYSON;  
LT. CHARLES MIMS; SGT. CHARLES  
DENSON; C.O. II MICHEAL THOMAS;  
MR. DANFORTH; and MS. LEWIS,  
in their individual and official capacities,

Defendants.

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**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed (doc. no. 15). Plaintiff concedes that he did not provide accurate responses to the questions on the complaint form but asks that the Court excuse his mistake. The Court declines to do so. Even if Plaintiff was not aware of the specific case numbers of his undisclosed cases at the time he filed the instant case, at a minimum he knew he had filed the cases. Moreover, as the case law cited in the Report and Recommendation makes clear, failing to disclose prior filing history will not be tolerated, and the Eleventh Circuit has repeatedly approved of dismissing a case without prejudice as a sanction. (See doc. no. 13, pp. 4-5.) Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion,

**DISMISSES** this case without prejudice as a sanction for Plaintiff's abuse of the judicial process, and **CLOSES** this civil action.

SO ORDERED this 16<sup>th</sup> day of June, 2016, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE